

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BOARD OF TRUSTEES OF THE
EMPLOYEE PAINTERS' TRUST,

Plaintiff,

v.

COAST MIRROR COMPANY, INC.
and RICHARD JAMES CURTIS,

CASE NO. C22-570 MJP

ORDER ON MOTION TO AMEND
DEFAULT JUDGMENT

This matter comes before the Court on Plaintiff's Motion to Amend the Default Judgment. (Dkt. No. 16.) Having reviewed the Motion and all supporting materials, the Court GRANTS the Motion and AMENDS the JUDGMENT on the terms specified in this Order.

The Court granted Plaintiff's Motion for Default Judgment, which ordered Defendants to submit to an audit in order to determine the amount of fringe benefits due and to calculate the damages to be reduced to judgment. (Dkt. No. 15.) Plaintiff has now completed the audit and requests the Court enter an amended judgment identifying: (1) \$51,613.84 in fringe benefit contributions due, (2) \$6,098.34 in liquidated damages; (3) \$6,535.05 in interest as of January


1 31, 2023 (reduced or increased by \$16.97 per diem depending on the date of the amended
2 judgment); (4) attorneys' fees of \$6,915.00 and \$1,990.38 in costs; and (5) \$268.18 in audit
3 costs.

4 Having reviewed the supporting materials, the Court finds that the default judgment
5 should be amended to reflect the amounts determined through the revised audit. (See Declaration
6 of Andrew Walker (Dkt. No. 17).) The declaration of Andrew Walker and supporting materials,
7 including the revised audit, demonstrate support for the amount of damages, liquidated damages,
8 and interest due. (Id.) And the declaration of Michael A. Urban provides sufficient factual
9 support for the Court to find that the attorneys' fees and costs requested are properly awarded
10 consistent with the Court's prior analysis and the factors set forth in Kerr v. Screen Extras Guild,
11 Inc., 526 F.2d 67, 70, abrogated on other grounds by City of Burlington v. Dague, 505 U.S. 557
12 (1992). (See also Order on Mot. for Default Judgment (Dkt. No. 15.)) The Court therefore
13 GRANTS the Motion and directs the Clerk to enter an amended judgment as follows:

14 Plaintiff is entitled to an award of: (1) \$51,613.84 in fringe benefit contributions owed,
15 (2) \$6,098.34 in liquidated damages; (3) \$6,467.17 in interest as of January 27, 2023; (4)
16 attorneys' fees of \$6,915.00 and \$1,990.38 in costs; and (5) \$268.18 in audit costs.

17 The clerk is ordered to provide copies of this order to all counsel.

18 Dated January 27, 2023.

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20 Marsha J. Pechman
21 United States Senior District Judge
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